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NO. 92-C-0375
92 C 0404

FILED
FEB 9, 1995
Jerry Deere
Clerk of District Court
Brazoria Co. Texas
By _____Deputy

IN THE DISTRICT COURT OF
BRAZORIA COUNTY, TEXAS
23RD JUDICIAL DISTRICT

LAURA HOWELL LINTON, ET AL.,
PLAINTIFFS,
VS.
AIRBUS INDUSTRIE, ET AL.,
DEFENDANTS.

ORDER ON SPECIAL APPEARANCE

On February 9, 1995, came on to be heard Defendants Airbus Industrie and Aeroformation's Special Appearance to Present Motion Objecting to the Jurisdiction, and after hearing the arguments of counsel, reviewing the pleadings, moving papers, responses, and evidence properly submitted in support of the motion, the Court finds that the motion is meritorious and should be granted. It is therefore

ORDERED, ADJUDGED, and DECREED that Defendants Airbus Industrie and Aeroformation are foreign states under the Foreign Sovereign Immunities Act, 28 U.S.C. §1602, *et seq.*, and that no exceptions to the FSIA apply; therefore, Defendants Airbus Industrie and Aeroformation are absolutely immune from suit in the United States.

It is further ORDERED, ADJUDGED, and DECREED that this case is dismissed for lack of subject matter jurisdiction over Airbus Industries and Aeroformation.

SIGNED this 9th day of February, 1995

/s/ J. Ray Gayle
Presiding Judge